



# Journal of the House

State of Indiana

112th General Assembly

Second Regular Session

Eighteenth Meeting Day

Tuesday Morning

February 5, 2002

The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by Pastor Ron Hamrick, Little Union Baptist Church, Bloomington, the guest of Representative Peggy Welch.

The Pledge of Allegiance to the Flag was led by Representative Brent E. Steele.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski
Avery	Kruse
Ayres	Kruzan ☐
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	McClain
C. Brown	Mock ☐
T. Brown	Moses
Buck	Munson
Budak	Murphy
Buell	Noe
Burton	Oxley
Cheney	Pelath
Cherry	Pond
Cochran	Porter
Cook	Reske
Crawford	Richardson
Crooks	Ripley
Crosby	Robertson
Day	Ruppel ☐
Denbo	Saunders
Dickinson	Scholer
Dillon	M. Smith
Dobis	V. Smith
Dumezich	Steele
Duncan	Stevenson
Dvorak	Stilwell
Espich	Sturtz
Foley	Summers
Frenz	Thompson
Friend	Tincher
Frizzell	Torr
Fry	Turner
GiaQuinta	Ulmer ☐
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herndon	D. Young
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 82: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 11, 2002, at 1:00 p.m.

ROBERTSON

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 28

Representatives C. Brown, Crawford, Dickinson, Harris, Porter, V. Smith, and Summers introduced House Concurrent Resolution 28:

A CONCURRENT RESOLUTION recognizing the second annual observance of the National Black HIV/AIDS Awareness Day on February 7, 2002.

*Whereas, Information plays a vital part in preventing the spread of HIV/AIDS in the African American community;*

*Whereas, On February 7, 2002, the African American community will observe the second annual National Black HIV/AIDS Awareness Day;*

*Whereas, This observation is an effort by the African American community to further the nationwide mobilization effort to emphasize the HIV/AIDS "State of Emergency" among African Americans;*

*Whereas, The objectives of National Black HIV/AIDS Awareness Day are to encourage individuals to get educated about HIV/AIDS, to get tested, and to get involved in advocating for the resources to fight the disease;*

*Whereas, Since the first case of AIDS was reported by the Centers for Disease Control and Prevention 20 years ago, there have been 160,000 African American deaths from the disease;*

*Whereas, Half of the new cases of HIV/AIDS reported are among African American men;*

*Whereas, According to a recent study by the Centers for Disease Control and Prevention, nearly one-third of African American men who are gay or bisexual will contract the disease before the age of 30;*

*Whereas, An even more startling fact is that the majority of these men contracted HIV/AIDS only recently; and*

*Whereas, In order to stop the spread of this deadly disease, the African American community must become more aware of the people suffering from this disease in our own communities: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes the observation of the second annual National Black HIV/AIDS Awareness Day on February 7, 2002, and encourages the members of our community to pledge all their resources to the fight against AIDS.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Kweisi Mfume.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Rogers, Breaux, Blade, Howard, and S. Smith.

**House Concurrent Resolution 29**

Representative Crawford, C. Brown, Dickinson, Harris, Porter, V. Smith, and Summers introduced House Concurrent Resolution 29:

A CONCURRENT RESOLUTION recognizing the Annual Conference of the National Black Caucus of State Legislators (NBCSL).

*Whereas, The 2002 Annual Conference of The National Black Caucus of State Legislators (NBCSL) will be held December 9-14 in Indianapolis, Indiana;*

*Whereas, President George W. Bush, in a message to the 2001 NBCSL Conference in Atlanta, Georgia, acknowledged the significant role that African Americans play in state legislative bodies throughout the nation;*

*Whereas, The Indiana Black Legislative Caucus (IBLC) will host the Annual Conference of NBCSL;*

*Whereas, The month of February is nationally recognized as African American History Month;*

*Whereas, With the first election of an African American member of the Indiana General Assembly in 1881, there have been 14 members in the Senate and 42 members in the House of Representatives; and*

*Whereas, Two African American women have distinguished service in the House of Representatives, the Senate, and the Congress of the United States: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly takes notice of over 120 years of public service by Americans and Hoosiers of African ancestry who have served in Indiana's legislative policy arena.

SECTION 2. That the Indiana General Assembly endorses and supports a broader compilation of the historical and contemporary records of service provided to the state of Indiana by the following African American legislators:

James Sidney Hinton (Marion Co.) (H-D) 1881	Forrest Walker Littlejohn (Marion Co.) (H-D) 1949
James Matthew Townsend (Wayne Co.) (H-D) 1885	William Davis Mackey, Sr. (Marion Co.) (H-D) 1951-1953
Richard Bassett (Howard Co.) (H-D) 1893	Patrick E. Chavis, Jr. (Marion Co.) (S-D) 1965-1967
Gabriel Louis Jones (Marion Co.) (H-D) 1897	Valjean Leon Dickinson (St. Joseph Co.) (H-D) 1965
Henry Johnson Richardson, Jr. (Marion Co.) (H-D) 1933-1935	Daisy Riley Lloyd (Marion Co.) (H-D) 1965
Robert L. Stanton (Lake Co.) (H-D) 1933-1935	Charles Atlas Walton (Marion Co.) (H-D) 1965
Marshall Alexander Talley (Marion Co.) (H-D) 1937	Harriette Vest Bailey Conn (Marion Co.) (H-R) 1967-1969
Joseph Chester Allen (St. Joseph Co.) (H-D) 1939-1941	Raymond Province Crowe (Marion Co.) (H-R) 1967-1975
Theodore Cable (Marion Co.) (H-D) 1939	Choice Edwards (Marion Co.) (H-R) 1969
Robert Lee Brokenburr (Marion Co.) (S-D) 1941-1947, 1953-1963	Bernard Luther White, Jr. (St. Joseph Co.) (H-D) 1969-1972
James Sherman Hunter (Lake Co.) (H-D) 1941-1965	William L. Alexander (Marion Co.) (H-D) 1973-1974
James Lee Dickinson (St. Joseph Co.) (H-D) 1943-1945, 1951-1957, (S-D) 1959-1961	Julia M. Porter Carson (Marion Co.) (H-D) 1973-1976, (S-D) 1977-1986
Wilbur Homer Grant (Marion Co.) (H-D) 1943-1947	
Zilford C. Carter (St. Joseph Co.) (H-D) 1947	
Charles Edward Decker (Vanderburgh Co.) (H-D) 1947	

Rudolph Clay, Sr. (Lake Co.) (S-D) 1973-1976	Billie Breaux (Marion Co.) (S-D) 1991-present
William A. Crawford (Marion Co.) (H-D) 1973-present	Vernon G. Smith (Lake Co.) (H-D) 1991-present
Robert Lenward Freeland, Jr. (Lake Co.) (H-D) 1973-1974	Vanessa Summers (Marion Co.) (H-D) 1991-present
Jewell Gene Harris (Lake Co.) (H-D) 1973-1978	Mae Dickinson (Marion Co.) (H-D) 1993-present
Katie Beatrice Greene Hall (Lake Co.) (H-D) 1975-1976, (S-D) 1977-1982	Glenn Howard (Marion Co.) (S-D) 1993-present
Rayfield Fisher (Lake Co.) (H-D) 1977-1982	Gregory Porter (Marion Co.) (H-D) 1993-present
Joseph W. Summers (Marion Co.) (H-D) 1977-1991	Lonnie Randolph (Lake Co.) (S-D) 1993-1996
Hurley Charles Goodall (Delaware Co.) (H-D) 1979-1994	James Van Leer (Delaware Co.) (H-R) 1995-1996
Carolyn Allan Brown (Lake Co.) (H-D) 1979-1982, (S-D) 1983-1986	Cleo Washington (St. Joseph Co.) (S-D) 1997-2000
Jules Blake Taylor (Lake Co.) (H-D) 1981	Mark Blade (Vigo) (S-D) 1997-present
Charlie Brown (Lake Co.) (H-D) 1983-present	Samuel Smith (Lake) (S-D) 1997-present.
Earl Lynn Harris (Lake Co.) (H-D) 1983-present	
Earline Smith Rogers (Lake Co.) (H-D) 1983-1989 (S-D) 1990-present	

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Rogers, Breaux, Blade, Howard, and S. Smith.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 11:15 a.m. with the Speaker in the Chair.

Representative Kruzan was present.

**ENGROSSED HOUSE BILLS ON THIRD READING****Engrossed House Bill 1005**

Representative Bodiker called down Engrossed House Bill 1005 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 83: yeas 86, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators M. Young and Lanane.

**Engrossed House Bill 1012**

Representative Herrell called down Engrossed House Bill 1012 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 84: yeas 96, nays 0. The bill was declared passed. The

question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray, Long, and Craycraft.

#### **Engrossed House Bill 1013**

Representative Day called down Engrossed House Bill 1013 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Espich was excused from voting.

Roll Call 85: yeas 55, nays 38. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Lanane.

#### **Engrossed House Bill 1019**

Representative Oxley called down Engrossed House Bill 1019 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 86: yeas 73, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman and Hume.

#### **Engrossed House Bill 1020**

Representative Dobis called down Engrossed House Bill 1020 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 87: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Rogers, and Merritt.

#### **Engrossed House Bill 1026**

Representative Stevenson called down Engrossed House Bill 1026 for third reading:

A BILL FOR AN ACT concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 88: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Mrvan, and Antich.

#### **Engrossed House Bill 1027**

Representative Kuzman called down Engrossed House Bill 1027 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives Welch and Gregg were excused from voting.

Roll Call 89: yeas 62, nays 32. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford and Lanane.

#### **Engrossed House Bill 1029**

Representative Grubb called down Engrossed House Bill 1029 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 90: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Blade.

Representative Bardon was excused.

#### **Engrossed House Bill 1051**

Representative Duncan called down Engrossed House Bill 1051 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 91: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long and Alexa.

Representatives Bardon and Mock were present; Representative Dumezich was excused.

#### **Engrossed House Bill 1055**

Representative Dickinson called down Engrossed House Bill 1055 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 92: yeas 53, nays 43. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Howard and Lanane.

#### **Engrossed House Bill 1059**

Representative Cheney called down Engrossed House Bill 1059 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 93: yeas 41, nays 55. The bill was defeated.

Representative Dumezich was present.

#### **Engrossed House Bill 1062**

Representative Tinchler called down Engrossed House Bill 1062 for third reading:

A BILL FOR AN ACT concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 94: yeas 95, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss and Blade.

### Engrossed House Bill 1065

Representative Tincher called down Engrossed House Bill 1065 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives Buell, Hoffman, and Kersey were excused from voting.

Roll Call 95: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Hume, Ford, Craycraft, and Gard.

### Engrossed House Bill 1071

Representative Stilwell called down Engrossed House Bill 1071 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 96: yeas 91, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Young and Server.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Crosby.

### Engrossed House Bill 1001

Representative Gregg called down Engrossed House Bill 1001 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning antiterrorism measures and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 97: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss, R. Young, Kenley, Skillman, and Blade.

The House recessed until the fall of the gavel.

## RECESS

The House reconvened at 1:10 p.m. with the Speaker Pro Tempore, Representative Dobis, in the Chair.

Representative Steele was excused.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 31

Representative Hinkle introduced House Concurrent Resolution 31:

A CONCURRENT RESOLUTION to honor Westlake Elementary School for being named a 2001 National Blue Ribbon School.

*Whereas, Westlake Elementary School is an outstanding elementary school that has repeatedly demonstrated clear vision, shared sense of mission, up-to-date curriculum, strong family involvement, and commitment to high standards;*

*Whereas, each year since 1982, the U.S. Department of Education has honored over 200 of America's finest public and private elementary schools;*

*Whereas, Westlake Elementary School, its faculty and administrators were required to endure a week of exams and interviews from different educational groups as part of the selection process; and,*

*Whereas, Westlake Elementary School was only one of four schools in Indiana to be honored as a National Blue Ribbon School for the year 2001: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the House of Representatives of the Indiana General Assembly congratulates the faculty, administration, staff and families of Westlake Elementary School for being selected as a 2001 National Blue Ribbon School by the U.S. Department of Education.

SECTION 2. That the Principal Clerk at the Indiana House of Representatives transmit a copy of this resolution to Principal Gary Huddleston of Westlake Elementary School.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator M. Young.

### House Concurrent Resolution 32

Representatives Scholer and Klinker introduced House Concurrent Resolution 32:

A CONCURRENT RESOLUTION urging public and private institutions of higher education in the state of Indiana to adopt service learning as a central form of engagement, civic outreach and citizenship education.

*Whereas, service learning is acknowledged to be crucial to the sustainability and effectiveness of campus-community collaboration;*

*Whereas, good service learning practices require strong community voice, orientation and training of participants, meaningful action for learners, intentional reflection practices, and evaluation with respect to the benefits for all stakeholders;*

*Whereas, service learning has the potential to bring state-supported campus resources to communities, service agencies, families and individuals at all levels of need throughout the state;*

*Whereas, the collaboration of the member campuses of the Indiana Campus Compact, the resources of the Cooperative Extension Service, distance-learning capabilities, and other statewide networks provide the opportunity for the State of Indiana to be a national leader in the area of service learning and engagement; and*

*Whereas, the mission of the public institutions of higher education in the State of Indiana involves educating both future citizens and providing services and research to communities and residents of the state: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the House of Representatives of the Indiana General Assembly urges that the institutions of higher education in the State of Indiana, and especially those institutions that are state-supported, to utilize service learning as a central vehicle for campus-community collaboration and of engagement of those institutions, and as an important pedagogy for student learning and for nurturing lifelong citizens.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to presidents and chancellors of all the institutions throughout the State of Indiana, as well as to chief academic officers at those institutions.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the

resolution. Senate sponsor: Senator Alting.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1073

Representative Avery called down Engrossed House Bill 1073 for third reading:

A BILL FOR AN ACT concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 98: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Alexa.

Representative Dumezich was excused.

### Engrossed House Bill 1075

Representative Mahern called down Engrossed House Bill 1075 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning consumer credit.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 99: yeas 74, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Mrvan.

The Speaker Pro Tempore yielded the gavel to the Speaker.

### Engrossed House Bill 1077

Representative Ayres called down Engrossed House Bill 1077 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 100: yeas 92, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Alexa.

### Engrossed House Bill 1130

Representative Alderman called down Engrossed House Bill 1130 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government. On the motion of Representative Bottorff the previous question was called.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 101: yeas 32, nays 62. The bill was defeated.

Representative Dumezich was present.

### Engrossed House Bill 1081

Representative Kersey called down Engrossed House Bill 1081 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 102: yeas 92, nays 3. The bill was declared passed. The

question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and L. Lutz.

### Engrossed House Bill 1087

Representative M. Smith called down Engrossed House Bill 1087 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 103: yeas 89, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Sipes.

### Engrossed House Bill 1083

Representative Kersey called down Engrossed House Bill 1083 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 104: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Blade.

### Engrossed House Bill 1088

Representative M. Smith called down Engrossed House Bill 1088 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 105: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Alting and Lanane.

### Engrossed House Bill 1099

Representative Hoffman called down Engrossed House Bill 1099 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 106: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Lubbers and Sipes.

### Engrossed House Bill 1100

Representative Kromkowski called down Engrossed House Bill 1100 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 107: yeas 70, nays 25. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed

to inform the Senate of the passage of the bill. Senate sponsor: Senator Paul.

Representative Steele was present.

#### **Engrossed House Bill 1101**

Representative Kromkowski called down Engrossed House Bill 1101 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 108: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Breaux, Skillman, and Craycraft.

#### **Engrossed House Bill 1104**

Representative Ayres called down Engrossed House Bill 1104 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 109: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman, Antich, Zakas, and Alexa.

#### **Engrossed House Bill 1382**

Representative Mock called down Engrossed House Bill 1382 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 110: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Riegsecker.

#### **Engrossed House Bill 1360**

Representative Moses called down Engrossed House Bill 1360 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Bottorff the previous question was called.

Roll Call 111: yeas 91, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks and Simpson.

#### **Engrossed House Bill 1114**

Representative Cheney called down Engrossed House Bill 1114 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 112: yeas 69, nays 25. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Landske.

#### **Engrossed House Bill 1115**

Representative Cheney called down Engrossed House Bill 1115 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 113: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator R. Meeks.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Crosby.

#### **Engrossed House Bill 1116**

Representative Fry called down Engrossed House Bill 1116 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage.

#### **HOUSE MOTION (Amendment 1116-4)**

Mr. Speaker: I move that Engrossed House Bill 1116 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 8, delete lines 6 through 8.

(Reference is to HB 1116 as printed January 31, 2002.)

FRY

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### **COMMITTEE REPORT**

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1116, begs leave to report that said bill has been amended as directed.

FRY

Report adopted.

The question then was, Shall the bill pass? Representative Gregg was excused from voting.

Roll Call 114: yeas 64, nays 32. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server, Lanane, and Broden.

Representative Dumezich was excused.

#### **Engrossed House Bill 1119**

Representative Grubb called down Engrossed House Bill 1119 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 115: yeas 90, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jackman, R. Young, Hershman, and Ford.

**Engrossed House Bill 1329**

Representative Weinzapfel called down Engrossed House Bill 1329 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 116: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Broden.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

**Engrossed House Bill 1122**

Representative Stilwell called down Engrossed House Bill 1122 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 117: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Young and Server.

**Engrossed House Bill 1124**

Representative Murphy called down Engrossed House Bill 1124 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 118: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley and Lanane.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 4:20 p.m. with the Speaker in the Chair.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 18 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

**RESOLUTIONS ON FIRST READING****Senate Concurrent Resolution 18**

The Speaker handed down Senate Concurrent Resolution 18, sponsored by Representatives Gregg and Bosma:

A CONCURRENT RESOLUTION to recognize Ronald Reagan on his 91st birthday.

*Whereas, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, Governor of California and*

*President of the United States;*

*Whereas, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America; the second of which he earned the confidence of 3/5 of the electorate and was victorious in 49 of the 50 states in the general election—a record second only to the essentially unopposed candidacies of George Washington;*

*Whereas, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment;*

*Whereas, during Mr. Reagan's presidency he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to Government which led to an unprecedented economic expansion and opportunity for millions of Americans;*

*Whereas, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods;*

*Whereas, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to win the Gulf War;*

*Whereas, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and*

*Whereas, on February 6, 2002, Ronald Reagan will have reached the age of ninety-one years: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly, on behalf of the people of the State of Indiana, do hereby recognize President Ronald Reagan on his 91st birthday and do congratulate and thank Mr. Reagan for his great contribution to American history.

SECTION 2. That the Principle Secretary of the Senate is hereby directed to transmit a copy of this resolution to Grover G. Norquist, President of the Ronald Reagan Legacy Project.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

**ENGROSSED HOUSE BILLS ON THIRD READING****Engrossed House Bill 1129**

Representative Alderman called down Engrossed House Bill 1129 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 119: yeas 89, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss, Breaux, and Wheeler.

**Engrossed House Bill 1135**

Representative Summers called down Engrossed House Bill 1135 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 120: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors:

Senators C. Lawson and Antich.

### Engrossed House Bill 1138

Representative Ayres called down Engrossed House Bill 1138 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Kuzman was excused from voting.

Roll Call 121: yeas 92, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman and Antich.

### Engrossed House Bill 1153

Representative Pelath called down Engrossed House Bill 1153 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 1153-2)

Mr. Speaker: I move that Engrossed House Bill 1153 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 3, line 34, delete "The" and insert "**Subject to the approval of the state personnel department and the budget agency, the**".

Page 3, line 35, delete "the following, subject to the approval of the state personnel" and insert "**a daily rate of pay for each teacher**".

Page 3, delete lines 36 through 40.

Page 3, line 42, delete "subdivisions (1) through (2)" and insert "**the salary schedule**".

Page 4, line 4, delete "subsection (b)(1)" and insert "**the salary schedule**".

Page 4, line 5, delete "through (b)(2)".

(Reference is to HB 1153 as reprinted February 5, 2002.)

PELATH

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1153, begs leave to report that said bill has been amended as directed.

PELATH

Report adopted.

The question then was, Shall the bill pass?

Roll Call 122: yeas 54, nays 39. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent, Server, and Bowser.

### Engrossed House Bill 1154

Representative Goodin called down Engrossed House Bill 1154 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was reread a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 1154-1)

Mr. Speaker: I move that Engrossed House Bill 1154 be

recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 2, delete "who:" and insert "who **knowingly**:".

Page 1, line 13, delete "shall" and insert "**may**".

Page 1, line 14, after "year." insert "**However, if the person has a prior unrelated conviction under this section, the court shall recommend the suspension of the person's driving privileges for one (1) year.**".

(Reference is to HB 1154 as printed January 24, 2002.)

GOODIN

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1154, begs leave to report that said bill has been amended as directed.

GOODIN

Report adopted.

The question then was, Shall the bill pass?

Roll Call 123: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Merritt.

### Engrossed House Bill 1158

Representative Hasler called down Engrossed House Bill 1158 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 124: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Skillman, Craycraft, Sipes, Blade, and Server.

### Engrossed House Bill 1164

Representative Crooks called down Engrossed House Bill 1164 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 125: yeas 87, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent, Long, and Lanane.

### Engrossed House Bill 1186

Representative Cochran called down Engrossed House Bill 1186 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives T. Adams, Cook, Herndon, and Herrell were excused from voting.

Roll Call 126: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Sipes, R. Meeks, and Rogers.

### Engrossed House Bill 1191

Representative Denbo called down Engrossed House Bill 1191 for



third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 127: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent and Mrvan.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

Representative Denbo was excused for the rest of the day.

### **Engrossed House Bill 1356**

Representative Bauer called down Engrossed House Bill 1356 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

The bill was read a third time by sections and placed upon its passage.

#### **HOUSE MOTION (Amendment 1356-5)**

Mr. Speaker: I move that Engrossed House Bill 1356 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 29.

Page 6, delete lines 8 through 40.

Page 9, delete lines 26 through 42.

Delete pages 10 through 13.

Page 14, delete lines 1 through 16.

Page 21, delete line 42.

Page 22, delete line 1.

Renumber all SECTIONS consecutively.

(Reference is to HB 1356 as printed January 30, 2002.)

BAUER

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### **COMMITTEE REPORT**

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1356, begs leave to report that said bill has been amended as directed.

BAUER

Report adopted.

The question then was, Shall the bill pass?

Roll Call 128: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks and Broden.

Representative Dumezich was present.

### **Engrossed House Bill 1202**

Representative Robertson called down Engrossed House Bill 1202 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 129: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Sipes.

The Speaker Pro Tempore yielded the gavel to the Speaker.

### **Engrossed House Bill 1205**

Representative Dvorak called down Engrossed House Bill 1205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 130: yeas 42, nays 52. The bill was defeated.

### **Engrossed House Bill 1208**

Representative Bischoff called down Engrossed House Bill 1208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 131: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, L. Lutz, and Craycraft.

### **Engrossed House Bill 1213**

Representative Klinker called down Engrossed House Bill 1213 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Kruzan was excused from voting.

Roll Call 132: yeas 74, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson, Craycraft, Altling, and Breaux.

Representative Dumezich was excused.

### **Engrossed House Bill 1214**

Representative Budak called down Engrossed House Bill 1214 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 133: yeas 81, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson and Antich.

Representative Dumezich was present.

### **Engrossed House Bill 1215**

Representative Budak called down Engrossed House Bill 1215 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 134: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson and Antich.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

#### **Engrossed House Bill 1217**

Representative Crosby called down Engrossed House Bill 1217 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 135: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson, Miller, and Rogers.

#### **Engrossed House Bill 1220**

Representative T. Adams called down Engrossed House Bill 1220 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 136: yeas 55, nays 42. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Craycraft and Lanane.

#### **Engrossed House Bill 1223**

Representative T. Adams called down Engrossed House Bill 1223 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 137: yeas 87, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Lubbers and Craycraft.

The Speaker Pro Tempore yielded the gavel to the Speaker.

#### **Engrossed House Bill 1228**

Representative Frenz called down Engrossed House Bill 1228 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 138: yeas 94, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Hume, Ford, and Waterman.

#### **Engrossed House Bill 1317**

Representative Liggett called down Engrossed House Bill 1317 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 139: yeas 76, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Simpson, R. Meeks, Kenley, Hume, Riegsecker, and C. Lawson.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

#### **Engrossed House Bill 1232**

Representative L. Lawson called down Engrossed House Bill 1232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 140: yeas 70, nays 25. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Clark.

#### **Engrossed House Bill 1233**

Representative Crosby called down Engrossed House Bill 1233 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 141: yeas 88, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard, Breaux, and C. Lawson.

#### **Engrossed House Bill 1238**

Representative Grubb called down Engrossed House Bill 1238 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 142: yeas 87, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison, Lewis, and Wheeler.

#### **Engrossed House Bill 1245**

Representative D. Young called down Engrossed House Bill 1245 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 143: yeas 88, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford and Harrison.

**Engrossed House Bill 1253**

Representative Hinkle called down Engrossed House Bill 1253 for third reading:

A BILL FOR AN ACT concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 144: yeas 84, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Gard.

**Engrossed House Bill 1254**

Representative Aguilera called down Engrossed House Bill 1254 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 145: yeas 65, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks, Craycraft, and Antich.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 8:20 p.m. with the Speaker in the Chair.

**ENGROSSED HOUSE BILLS ON THIRD READING****Engrossed House Bill 1256**

Representative Aguilera called down Engrossed House Bill 1256 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 146: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Mrvan, Wyss, Antich, and S. Smith.

**Engrossed House Bill 1258**

Representative Crawford called down Engrossed House Bill 1258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid and to make an appropriation.

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION  
(Amendment 1258-1)

Mr. Speaker: I move that Engrossed House Bill 1258 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 10, after "licensed" insert "as a comprehensive care facility".

(Reference is to HB 1258 as printed February 1, 2002.)

CRAWFORD

There being a two-thirds vote in favor of the motion, the motion prevailed.

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred

Engrossed House Bill 1258, begs leave to report that said bill has been amended as directed.

CRAWFORD

Report adopted.

The question then was, Shall the bill pass? Representative Turner was excused from voting.

Roll Call 147: yeas 66, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Blade, and Simpson.

Representative Dumezich was excused.

**Engrossed House Bill 1240**

Representative Lytle called down Engrossed House Bill 1240 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 148: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Merritt and Lewis.

Representative Dumezich was present.

**Engrossed House Bill 1241**

Representative Lytle called down Engrossed House Bill 1241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION  
(Amendment 1241-4)

Mr. Speaker: I move that Engrossed House Bill 1241 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

Page 6, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 10. IC 14-34-13-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) ~~Except as provided in subsection (b);~~ **Beginning July 1, 2003**, all operators of underground coal mining operations subject to this article shall pay to the department for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of two cents (\$0.02) per ton of coal produced.

(b) ~~All operators of underground coal mining operations that:~~

(1) ~~have no support facilities located within Indiana; but~~

(2) ~~produce coal from reserves located within Indiana;~~

~~shall pay to the department for deposit in the natural resources reclamation division fund a reclamation fee of one cent (\$0.01) per ton of coal produced from Indiana."~~

Page 7, after line 33, begin a new paragraph and insert:

"SECTION 12. [EFFECTIVE JULY 1, 2002] (a) **There is appropriated to the natural resources reclamation division fund established by IC 14-34-14-2 two hundred fifty thousand dollars (\$250,000) from the post-1977 abandoned mine reclamation fund established by IC 14-34-6-15 for its use beginning July 1, 2002, and ending June 30, 2003.**

(b) **This SECTION expires January 1, 2004.**

SECTION 13. [EFFECTIVE APRIL 1, 2002] (a) **Notwithstanding IC 14-34-13-1 and IC 14-34-13-2, the following**

**reclamation fee schedule applies with respect to coal mining operations for the period beginning April 1, 2002, and ending June 30, 2003:**

**(1) All operators of surface coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of five and five-tenths cents (\$0.055) per ton of coal produced.**

**(2) All operators of underground coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of three cents (\$0.03) per ton of coal produced.**

**(b) After June 30, 2003, the reclamation fees paid by coal mining operators are the amounts per ton specified in IC 14-34-13-1 and IC 14-34-13-2, as amended by this act.**

**(c) This SECTION expires January 1, 2004.**

**SECTION 14. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1241 as reprinted February 5, 2002.)

LYTLE

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1241, begs leave to report that said bill has been amended as directed.

LYTLE

Report adopted.

The question then was, Shall the bill pass?

Roll Call 149: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wheeler and Lewis.

#### Engrossed House Bill 1263

Representative Porter called down Engrossed House Bill 1263 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 150: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Merritt and L. Lutz.

#### Engrossed House Bill 1265

Representative V. Smith called down Engrossed House Bill 1265 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal and juvenile law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 151: yeas 68, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss, Blade, and Rogers.

#### Engrossed House Bill 1271

Representative Klinker called down Engrossed House Bill 1271 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 152: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman, Antich, Alting, and Bowser.

#### Engrossed House Bill 1283

Representative Burton called down Engrossed House Bill 1283 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 153: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley, Alexa, and Server.

#### Engrossed House Bill 1284

Representative Reske called down Engrossed House Bill 1284 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 1284-2)

Mr. Speaker: I move that Engrossed House Bill 1284 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 3, between lines 3 and 4, begin a new paragraph and insert: "SECTION 7. IC 11-8-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 9. (a) The department shall establish a program of research and statistics, alone or in cooperation with others, for the purpose of assisting in the identification and achievement of realistic short term and long term departmental goals, the making of administrative decisions, and the evaluation of the facilities and programs of the entire state correctional system. Information relating to the following must be compiled:

- (1) An inventory of current facilities and programs, including residential and nonresidential community programs and offender participation.
- (2) Population characteristics and trends, including the following concerning offenders:
  - (A) Ethnicity.
  - (B) Race.
  - (C) Gender.
  - (D) Carrier (as defined in IC 16-18-2-49) status.
- (3) Judicial sentencing practices.
- (4) Service area resources, needs, and capabilities.
- (5) Recidivism of offenders.
- (6) Projected operating and capital expenditures.

(b) The department may conduct research into the causes, detection, and treatment of criminality and delinquency and disseminate the results of that research.

**(c) Annually, within thirty (30) days after the close of the department's fiscal year, the department shall forward the information with respect to state operated community corrections programs compiled under subsection (a)(2) to the executive director of the legislative services agency.**

SECTION 8. IC 11-12-1-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 6. A community corrections advisory board established under section 2 of this chapter shall compile information relating to the ethnicity, race, gender, and**

carrier (as defined in IC 16-18-2-49) status of persons described in section 2(2), 2(3), and 2(4) of this chapter who are served by community corrections programs coordinated or operated by the board. The board shall forward this information annually, within thirty (30) days after the close of the board's fiscal year, to the executive director of the legislative services agency.

SECTION 9. IC 11-12-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. For the purpose of encouraging counties to develop a coordinated local corrections-criminal justice system, and providing effective alternatives to imprisonment at the state level, and reintegrating offenders into the community, the commissioner shall, out of funds appropriated for such purposes, make grants to counties for the establishment and operation of community corrections programs. Appropriations intended for this purpose may not be used by the department for any other purpose. Money appropriated to the department of correction for the purpose of making grants under this chapter, and charges made against a county under section 9, do not revert to the general fund at the close of any fiscal year, but remain available to the department of correction for its use in making grants under this chapter."

Page 9, between lines 3 and 4, begin a new paragraph and insert: "SECTION 17. IC 35-38-2.6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. As used in this chapter, "community corrections program" means a program consisting of residential and work release, electronic monitoring, day treatment, or day reporting, or a service to reintegrate offenders into the community that is:

(1) operated under a community corrections plan of a county and funded at least in part by the state subsidy provided under IC 11-12-2; or

(2) operated by or under contract with a court or county."

Renumber all SECTIONS consecutively.

(Reference is to HB 1284 as printed January 31, 2002.)

RESKE

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1284, begs leave to report that said bill has been amended as directed.

RESKE

Report adopted.

The question then was, Shall the bill pass?

Roll Call 154: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator C. Meeks.

#### Engrossed House Bill 1293

Representative Kersey called down Engrossed House Bill 1293 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Crooks the previous question was called.

Roll Call 155: yeas 38, nays 58. The bill was defeated.

#### Engrossed House Bill 1235

Representative Moses called down Engrossed House Bill 1235 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property taxes.

The bill was read a third time by sections and placed upon its passage. After discussion, Representative Moses withdrew the call of Engrossed House Bill 1235.

#### Engrossed House Bill 1298

Representative Dillon called down Engrossed House Bill 1298 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 156: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long and Lanane.

Representative Dumezich was excused.

#### Engrossed House Bill 1196

Representative Bauer called down Engrossed House Bill 1196 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 157: yeas 60, nays 35. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Borst, Simpson, Kenley, and Alexa.

#### Engrossed House Bill 1306

Representative Wolkins called down Engrossed House Bill 1306 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 158: yeas 86, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard, Hume, and Ford.

Representative Dumezich was present.

#### Engrossed House Bill 1308

Representative Wolkins called down Engrossed House Bill 1308 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Bottorff the previous question was called.

Roll Call 159: yeas 51, nays 46. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks and Alexa.

#### Engrossed House Bill 1230

Representative Whetstone called down Engrossed House Bill 1230 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 160: yeas 88, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed

to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and C. Lawson.

### **Engrossed House Bill 1315**

Representative Porter called down Engrossed House Bill 1315 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 161: yeas 81, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Lubbers.

### **Engrossed House Bill 1316**

Representative Liggett called down Engrossed House Bill 1316 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 162: yeas 80, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman and Broden.

### **Engrossed House Bill 1318**

Representative C. Brown called down Engrossed House Bill 1318 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 163: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss, Rogers, S. Smith, and Blade.

### **Engrossed House Bill 1325**

Representative Oxley called down Engrossed House Bill 1325 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 164: yeas 89, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Kenley.

### **Engrossed House Joint Resolution 2**

Representative Murphy called down Engrossed House Joint Resolution 2 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 5 of the Indiana Constitution concerning state offices and administration.

The resolution was read a third time by sections and placed upon its passage. The question was, Shall the resolution pass?

Roll Call 165: yeas 93, nays 2. The resolution was declared passed. The question was, Shall the title of the resolution remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the

resolution. Senate sponsors: Senators Ford and Merritt.

### **Engrossed House Bill 1335**

Representative Pond called down Engrossed House Bill 1335 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 166: yeas 84, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long, Wyss, and C. Meeks.

### **Engrossed House Bill 1338**

Representative Lytle called down Engrossed House Bill 1338 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 167: yeas 89, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Simpson.

### **Engrossed House Bill 1341**

Representative Bardon called down Engrossed House Bill 1341 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 168: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Clark.

### **Engrossed House Joint Resolution 9**

Representative Frenz called down Engrossed House Joint Resolution 9 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 10, Section 1 of the Constitution of the State of Indiana concerning taxation.

The resolution was read a third time by sections and placed upon its passage. The question was, Shall the resolution pass?

Roll Call 169: yeas 93, nays 0. The resolution was declared passed. The question was, Shall the title of the resolution remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Borst, Hume, R. Meeks, and Simpson.

### **Engrossed House Bill 1346**

Representative Pelath called down Engrossed House Bill 1346 for third reading:

A BILL FOR AN ACT concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 170: yeas 93, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Simpson.

**Engrossed House Bill 1347**

Representative Alderman called down Engrossed House Bill 1347 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks and L. Lutz.

**Engrossed House Bill 1302**

Representative Kuzman called down Engrossed House Bill 1302 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 172: yeas 31, nays 64. The bill was defeated.

**Engrossed House Bill 1355**

Representative Bauer called down Engrossed House Bill 1355 for third reading:

A BILL FOR AN ACT concerning education finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Alting, Simpson, and R. Meeks.

**Engrossed House Bill 1366**

Representative Richardson called down Engrossed House Bill 1366 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 174: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson and Lanane.

**Engrossed House Bill 1106**

Representative Moses called down Engrossed House Bill 1106 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 175: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Zakas, and Lanane.

**Engrossed House Bill 1378**

Representative Scholer called down Engrossed House Bill 1378 for third reading:

A BILL FOR AN ACT concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 176: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Alting, and Lanane.

**Engrossed House Bill 1386**

Representative Ripley called down Engrossed House Bill 1386 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 177: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul, Lewis, Clark, and Ford.

**Engrossed House Bill 1387**

Representative Turner called down Engrossed House Bill 1387 for third reading:

A BILL FOR AN ACT concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 178: yeas 32, nays 60. The bill was defeated.

**Engrossed House Bill 1403**

Representative Dillon called down Engrossed House Bill 1403 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 179: yeas 70, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Craycraft.

**Engrossed House Bill 1079**

Representative Frizzell called down Engrossed House Bill 1079 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 180: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Johnson, Craycraft, M. Young, and Blade.

**Engrossed House Bill 1121**

Representative Lytle called down Engrossed House Bill 1121 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 181: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Simpson.

**Engrossed House Bill 1332**

Representative Lytle called down Engrossed House Bill 1332 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 182: yeas 91, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Simpson.

**INTRODUCTION OF BILLS**

The following bills were read a first time by title and referred to the respective committees:

**ESB 1** — Kuzman, Ulmer (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**ESB 8** — Cook, Moses, Wolkins, Scholer, Welch (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 10** — Sturtz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 12** — Herrell, Dvorak, Alderman, Bardon (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 20** — Welch, Ripley, Tincher (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 22** — Lytle, Pond (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**ESB 45** — Crosby, Scholer (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 55** — Crawford, Behning (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 58** — Kromkowski, Buell (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 59** — Kromkowski, Buell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 60** — Kromkowski, Buell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 79** — Weinzapfel, Wolkins (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

**ESB 97** — C. Brown, Friend (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

**ESB 99** — Weinzapfel, Wolkins (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 100** — Kuzman, GiaQuinta, Cherry (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 102** — Moses, Mangus, Liggett (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**ESB 103** — Bauer, Espich (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**ESB 104** — Denbo, Steele (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**ESB 107** — Becker, C. Brown (Public Health)

A BILL FOR AN ACT concerning health.

**ESB 109** — Klinker, Alderman (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 127** — Crawford, V. Smith (Judiciary)

A BILL FOR AN ACT concerning corrections.

**ESB 136** — Sturtz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 137** — Welch (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

**ESB 138** — Welch, Bischoff (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 141** — Weinzapfel, Wolkins (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT concerning environmental law.

**ESB 148** — Hasler, Scholer (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**ESB 149** — Summers, Budak (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 150** — Whetstone, Stilwell (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 152** — Stilwell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 154** — T. Adams, Kruse (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT concerning natural and cultural resources.

**ESB 165** — Bodiker, Grubb (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 173** — Kromkowski, Buell (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.



**ESB 175** — Bauer, Espich (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**ESB 190** — Lytle, Pond (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**ESB 193** — Grubb, Cherry, Murphy (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 194** — Weinzapfel, Wolkins (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 195** — Weinzapfel, Wolkins (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 202** — Bodiker, Burton (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**ESB 206** — Moses (Environmental Affairs)

A BILL FOR AN ACT concerning environmental law.

**ESB 212** — Fry (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning consumer sales.

**ESB 213** — Crosby, Dillon, Grubb, Frizzell (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 214** — Torr, Sturtz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 217** — Lytle, Duncan (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 222** — Sturtz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 227** — C. Brown (Public Health)

A BILL FOR AN ACT concerning Medicaid.

**ESB 230** — T. Adams, Kruse (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**ESB 239** — Frenz, Cherry (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 246** — Crawford, Budak (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 247** — Sturtz, Foley (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 248** — Sturtz, Foley (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 258** — Reske, Cherry, Grubb (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**ESB 260** — Aguilera, Stevenson, Cherry (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 262** — Moses, Borrer (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

**ESB 269** — Kromkowski, Whetstone, Welch (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 270** — Kruzan, Scholer (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning libraries.

**ESB 271** — Sturtz, Yount (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning consumer sales and credit.

**ESB 272** — M. Smith (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 276** — Crooks, Ripley (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 290** — Porter, Behning (Education)

A BILL FOR AN ACT concerning education.

**ESB 292** — Porter (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 306** — Bodiker, Burton (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**ESB 315** — Sturtz, Foley, Atterholt (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 326** — Murphy, Crooks (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**ESB 327** — Denbo, Turner (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 331** — Lytle (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**ESB 333** — Lytle, Friend (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

**ESB 343** — Dvorak, Ulmer, Dickinson, Ayres (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 344** — Aguilera, Borrer (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

- ESB 351** — Kruzan (Labor and Employment)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- ESB 354** — Weinzapfel, Atterholt (Rules and Legislative Procedures)  
A BILL FOR AN ACT concerning environmental law.
- ESB 355** — Denbo, Murphy, Cochran (Public Policy, Ethics and Veterans Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 362** — Hasler, Becker, Klinker (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- ESB 366** — Kruzan, Atterholt, GiaQuinta, Borrer (Agriculture, Natural Resources and Rural Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- ESB 367** — Crosby, Herrell, Foley, Steele (Public Policy, Ethics and Veterans Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- ESB 373** — C. Brown, Becker (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- ESB 376** — Welch, D. Young (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 392** — Crooks, Murphy, Kruzan (Ways and Means)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 401** — Cook, Mock (Roads and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- ESB 402** — Lytle, Saunders (Local Government)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- ESB 404** — C. Brown, Dillon (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- ESB 405** — Welch (Ways and Means)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- ESB 407** — Welch (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- ESB 410** — Dvorak, Foley (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 422** — Fry, Burton (Rules and Legislative Procedures)  
A BILL FOR AN ACT concerning the general assembly.
- ESB 423** — Crooks, Ripley (Rules and Legislative Procedures)  
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.
- ESB 430** — Fry, Ulmer (Roads and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.
- ESB 469** — Bauer, Espich (Ways and Means)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

- ESB 481** — Dobis, Cook, Ayres (Roads and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- ESB 482** — Dvorak, Atterholt (Human Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- ESB 489** — Crawford, Buell, Foley (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- ESB 495** — C. Brown, V. Smith (Roads and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- ESB 502** — Bauer, Espich (Ways and Means)  
A BILL FOR AN ACT concerning taxation.
- ESB 505** — GiaQuinta, Espich, Cheney, Alderman (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

### INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

- ESJR 12** — Welch, Whetstone (Local Government)  
A JOINT RESOLUTION proposing an amendment to Article 6, Section 2 of the Constitution of the State of Indiana concerning local government.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 6, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. (a) There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years. ~~and~~

(b) The General Assembly may provide by law for uniform dates for beginning the terms of the county officials listed in subsection (a). If the General Assembly enacts a law to provide a uniform date for beginning the terms of a county official listed in subsection (a), the General Assembly may provide that the term of each county official initially elected after enactment of the law to provide the uniform date for beginning the terms of the county official is for less than four years in order to establish a uniform schedule of dates for the beginning of terms for the office. However, after the initial election for each office, the term for that office shall be for four years.

(c) No person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1073, Roll Call 98, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present but was away from my seat, and when I attempted to vote, I was unable to do so as voting had closed. I intended to vote Yea."

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this*

*changes the vote tally for Roll Call 98 to 90 years, 0 nays. The corrected roll call is printed with this Journal.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1081, Roll Call 102, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

D. YOUNG

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 102 to 92 years, 3 nays. The corrected roll call is printed with this Journal.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1100, Roll Call 107, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present but was not in my seat, and when I attempted to vote, voting had closed. I intended to vote Yea."

RESKE

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 107 to 70 years, 25 nays. The corrected roll call is printed with this Journal.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1101, Roll Call 108, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present in the chamber, but was unable to vote in time. I intended to vote Yea."

NOE

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 108 to 95 years, 1 nays. The corrected roll call is printed with this Journal.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1108, Roll Call 68, on January 31, 2002. In support of this petition, I submit the following reason:

"I was present but was unable to get to my seat. When I attempted to vote, the voting was closed. I intended to vote Yea."

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 68 to 93 years, 0 nays. The corrected roll call is printed with the Journal for January 31.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1130, Roll Call 101, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

V. SMITH

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this*

*changes the vote tally for Roll Call 101 to 32 years, 62 nays. The corrected roll call is printed with this Journal.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1161, Roll Call 69, on January 31, 2002. In support of this petition, I submit the following reason:

"I was present but was unable to get to my seat. When I attempted to vote, the voting was closed. I intended to vote Yea."

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 69 to 93 years, 0 nays. The corrected roll call is printed with the Journal for January 31.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1221, Roll Call 72, on January 31, 2002. In support of this petition, I submit the following reason:

"I was present but was unable to get to my seat. When I attempted to vote, the voting was closed. I intended to vote Yea."

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 72 to 61 years, 31 nays. The corrected roll call is printed with the Journal for January 31.]*

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1338, Roll Call 167, on February 5, 2002. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, the machine did not register by vote when I intended to vote Yea."

SAUNDERS

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 167 to 89 years, 5 nays. The corrected roll call is printed with this Journal.]*

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Kruse and Turner be added as coauthors of House Bill 1001.

GREGG

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Steele, Goodin, Herndon, and T. Adams be added as coauthors of House Bill 1012.

HERRELL

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Budak be added as coauthor of House Bill 1015.

COCHRAN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Harris be added as coauthor of House Bill 1026.

STEVENSON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Duncan be added as coauthor of House Bill 1055.

DICKINSON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Behning, Scholer, Klinker, Porter, Aguilera, Alderman, Atterholt, Avery, Bardon, Bauer, Becker, Bischoff, Borrer, Bosma, C. Brown, T. Brown, Buck, Budak, Buell, Burton, Cheney, Cherry, Cochran, Cook, Crawford, Crooks, Crosby, Day, Denbo, Dickinson, Dillon, Dobis, Dumezich, Duncan, Dvorak, Espich, Foley, Frenz, Friend, Fry, Goodin, Gregg, Grubb, Harris, Hasler, Herndon, Herrell, Hinkle, Hoffman, Kersey, Kromkowski, Kruse, Kruzan, Kuzman, L. Lawson, Leuck, Liggett, J. Lutz, Lytle, Mahern, Mangus, McClain, Mock, Moses, Munson, Murphy, Noe, Oxley, Pelath, Pond, Richardson, Ripley, Robertson, Ruppel, Saunders, M. Smith, V. Smith, Steele, Stevenson, Stilwell, Sturtz, Summers, Thompson, Tincher, Torr, Turner, Weinzapfel, Welch, Whetstone, Wolkins, and Yount be added as coauthors of House Bill 1079.

FRIZZELL

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Kruse be added as coauthor of House Bill 1091.

ATTERHOLT

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Cheney be added as coauthor of House Bill 1104.

AYRES

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Murphy be added as coauthor of House Bill 1119.

GRUBB

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Weinzapfel be removed as author of House Bill 1121 and that Representative Lytle be substituted as author.

WEINZAPFEL

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives

Welch, Budak, Klinker, Richardson, and Pond be added as coauthors of House Bill 1123.

L. LAWSON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1135.

SUMMERS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Becker and Aguilera be added as coauthors of House Bill 1138.

AYRES

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Klinker and Porter be added as coauthors of House Bill 1201.

ROBERTSON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Behning be added as coauthor of House Bill 1202.

ROBERTSON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Becker, Borrer, C. Brown, Budak, and Frizzell be added as coauthors of House Bill 1217.

CROSBY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1253.

HINKLE

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Summers, Duncan, Borrer, Budak, Becker, and Saunders be added as coauthors of House Bill 1298.

DILLON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 1302.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Fry, Porter, and Behning be added as coauthors of House Bill 1315.

LIGGETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Liggett be removed as author of House Bill 1315, Representative Porter be substituted as author, and Representative Porter be removed as coauthor.

LIGGETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Klinker and Leuck be added as coauthors of House Bill 1317.

LIGGETT

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative V. Smith be added as coauthor of House Bill 1318.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as coauthor of House Bill 1325.

OXLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be removed as sponsor of Engrossed Senate Bill 269, Representative Kromkowski be substituted as sponsor, and Representative Welch be added as cosponsor.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be removed as sponsor of Engrossed Senate Bill 341, Representative Hinkle be substituted as sponsor, and Representative Stevenson be added as cosponsor.

STEVENSON

Motion prevailed.

On the motion of Representative Bosma the House adjourned at 11:45 p.m., this fifth day of February, 2002, until Monday, February 11, 2002, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives